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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

MIGUEL J. ALFARO,

Defendant and Appellant.

B174698

(Super. Ct. No. PA044147)

APPEAL from a judgment of the Superior Court of Los Angeles County.

Charles L. Peven, Judge. Affirmed.

Miguel J. Alfaro, in pro. per., and Ellen M. Matsumoto, under appointment
by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant, Miguel Alfaro, pled no contest to three counts of residential burglary, one count of grand theft, and one count of receiving stolen property. He also admitted five prior convictions within the meaning of Penal Code section 1170.12, four prior convictions within the meaning of Penal Code section 667, subdivision (a), and four prior convictions within the meaning of Penal Code section 667.5, subdivision (b). After denying defendant's motion pursuant to *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, the trial court sentenced defendant to a term of 40 years to life. He appeals from the judgment.

We appointed counsel to represent defendant on this appeal. After an examination of the record, counsel filed an "Appellant's Opening Brief," in which no issues were raised, asking us to independently review the entire record on appeal for any arguable issues. Counsel also informed this court she had advised defendant about the nature of the opening brief, his right to request different counsel, and his right to file a supplemental brief. The court granted defendant's late request to file a brief.¹

In his brief, defendant argues his counsel was incompetent. However, he points to nothing in the record to support his claim. Defendant bears the burden of establishing his trial counsel failed to act in a reasonably competent manner. (*People v. Pope* (1979) 23 Cal.3d 412, 423-426) Defendant makes a number of allegations about counsel's conduct during the proceedings below, but again, there are no facts in the record to support the accusations. Suffice it to say, defendant has failed to establish the judgment should be reversed on this ground.

We have examined the entire record and are satisfied defendant's attorney has fully complied with her responsibilities and no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

¹ He also requested the appointment of new counsel, which we deny.

DISPOSITION

The judgment is affirmed.

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SUZUKAWA, J.*

We concur:

MALLANO, Acting P.J.

VOGEL, J.

* (Judge of the L. A. Sup. Ct. assigned by the Chief Justice pursuant to art. VI, § 6 of the Cal. Const.)